

MINUTES OF MEETING OF BOARD OF DIRECTORS
NOVEMBER 7, 2023

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

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The Board of Directors (the "*Board*") of Harris County Municipal Utility District No. 50 (the "*District*") met in regular session, open to the public, at 12900 Crosby Lynchburg Road, Crosby, Texas, on November 7, 2023, at 6:00 p.m.; whereupon the roll was called of the Board, to-wit:

Andrew Sonnier, President
Martin Lemond, Vice President
Alice Dangerfield, Secretary
Daryl Johnson, Investment
Officer/Treasurer
Cassandra Clark, Assistant Secretary

All members of the Board were present, except Director Clark, thus constituting a quorum. Also attending all or parts of the meeting were Mr. John Hall, District Advisor; Ms. Maria Acuna, District Office Supervisor; Ms. Jaleesa Auzenne, Strategic Consultant for the District; Mr. Reginald Wilson and Ms. Jane Maher of Norton Rose Fulbright US LLP ("*NRF*"), attorneys for the District; Ms. Amber Hurd of Cobb Fendley & Associates, Inc. ("*Cobb Fendley*"), engineers for the District; and Mr. John Montgomery of Municipal Operations & Consulting ("*MOC*"), operator for the District.

Call to Order. Mr. Wilson called the meeting to order in accordance with notice posted pursuant to law, copies of certificates of posting of which are attached hereto as *Exhibit A*, and the following business was transacted:

1. **Public comments.** There were no public comments.
2. **Approve Minutes from October 3, 2023.** The Board reviewed the minutes of the meeting held on October 3, 2023, copies of which were previously distributed to the Board.

Upon motion by Director Johnson, seconded by Director Dangerfield, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of October 3, 2023, as revised.

3. **Review and approve Engineer's Report and take such other action that may be necessary for District projects.** Mr. Wilson recognized Ms. Hurd, who presented to and reviewed with the Board for approval of the Engineer's Report, a copy of which is attached hereto as *Exhibit B*. Director Clark joined the meeting at this time.

Applications for service:

Barrett Station – Ms. Hurd stated that Cobb Fendley reviewed tap requests for 13206 Jean Lafitte and 318 Fontaine.

Kodiak Crossing Section 4 – There was no report.

Highway 90 Apartments – There was no report.

Arredondo Addition (830 FM 1942) – There was no report.

Finnels Estate 832 FM 1942/12921 Eagleton Lane – There was no report.

2100 Hwy 90 Hotel at Crosby – There was no report.

210 FM 1942 Creekside Apartments – There was no report.

Turner Chevrolet – Ms. Hurd stated that Crosby Municipal Utility District has approved the request and that their engineer is providing a No Objection Letter.

Equine Center – There was no report.

308 Slumber – There was no report.

322 Fontaine – There was no report.

645 E. St. Charles – Ms. Hurd reviewed a draft utility commitment letter for the Board's approval of a replat to serve 1 ESFC. Upon motion by Director Sonnier, seconded by Director Clark, after full discussion and the question being put to the Board, the Board voted unanimously to approve the utility commitment letter.

Design Projects:

Drinking Water State Revolving Fund (DWSRF) 2016 Water Plant 3 – Ms. Hurd stated that the proposed improvements are an 80,000 gallon ground storage tank, 15,000 gallon hydropneumatic tank, three booster pumps, chlorine disinfection system, diesel emergency backup generator, motor control center, electrical improvements, fencing, driveway, and site work.

Barrett Station Phase 2 Drainage Improvements – Ms. Hurd stated that the County has provided a bid recommendation letter for the second lowest bidder, Texas Materials Group in the amount of \$11,581,113.00. She noted that the County requires a letter of concurrence from the District. She stated that the District related items bid cost is \$1.1 million. She reported that Cobb Fendley has prepared a proposal for construction inspection services not to exceed \$27,046.00, which will cover both County drainage projects.

Upon motion by Director Sonnier, seconded by Director Johnson, after full discussion and the question being put to the Board, the Board voted unanimously to approve the letter of concurrence and the proposal for construction inspection services in an amount not to exceed \$27,046.00.

Mr. Wilson presented to and reviewed with the Board the First Amendment to the Agreement between the District and Harris County (the "Amendment"), a copy of which is attached hereto as *Exhibit C*.

Upon motion by Director Johnson, seconded by Director Sonnier, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Amendment.

WWTP No. 1 Improvements – Ms. Hurd stated that Cobb Fendley resubmitted plans to the County and that Cobb Fendley plans to start advertising for bids in November. She noted that the proposed improvements are expanded chlorine basin, proposed digester, blowers and electrical upgrades.

Construction Projects:

Dreamland Place Phase 1 Drainage Improvements – Ms. Hurd stated that the County held a preconstruction meeting with CE Barker. She reported that the Notice to Proceed is estimated at November 27.

FM 1942 and Eagleton Lane Forcemain Extension – Ms. Hurd stated that Ram Rod has installed the waterline and is working on the forcemain. She presented Pay Application No. 1 in the amount of \$117,762.00 and Change Order No. 1 in the amount of \$21,917.50 for Board approval. She noted that Change Order No. 1 is recommended for approval to extend 3-inch forcemain along Kacy Lane and Barnaba Lane.

Upon motion by Director Johnson, seconded by Director Sonnier, after full discussion and the question being put to the Board, the Board voted unanimously to approve Pay Application No. 1 in the amount of \$117,762.00 and Change Order No. 1 in the amount of \$21,917.50.

Mr. Wilson presented to and reviewed with the Board the Water Meter Easement for 210 FM 1942, a copy of which is attached hereto as *Exhibit D*. Upon motion by Director Johnson, seconded by Director Clark, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Water Meter Easement.

General District Engineering:

HGSD Grant Shower Head Replacement – There was no report.

Capital Improvement Plan – There was no report.

Water Conservation Plan – There was no report.

Groundwater Reduction Plan – Ms. Hurd presented to and reviewed with the Board the Ground Water Reduction Plan ("GRP"), a copy of which is attached hereto as *Exhibit E*. Discussion ensued. Upon motion by Director Johnson, seconded by Director Sonnier, after full discussion and the question being put to the Board, the Board voted unanimously to approve the submission of the GRP.

Water/Sewer Capacity Status – Ms. Hurd reviewed a list of current utility commitments with the Board.

Upon motion by Director Sonnier, seconded by Director Dangerfield, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report.

4. **Review Operations Report and authorize repairs.** Mr. Wilson recognized Mr. Montgomery, who presented to and reviewed with the Board the Operation's Report, a copy which is attached hereto as *Exhibit F*. Mr. Montgomery reported that the District's water accountability with leaks and flushing were at 90%. He discussed a customer line extension on 12634 avenue and noted that the cost is \$11,500 and that the customer would pay the tap.

Upon motion by Director Johnson, seconded by Director Sonnier, after full discussion and the question being put to the Board, the Board voted unanimously to approve to the Operation's Report.

5. **Review amended agreement for Barrett Station Phase 2 – Subdivision Drainage Improvements and take appropriate action.** This item was discussed under the Engineer's Report.

6. **Review Drought Contingency Plan and take appropriate action.** It was the consensus of the Board to table this item.

7. **Review Rate Order.** It was the consensus of the Board to table this item.

8. **Discuss District matters and take necessary action.** Mr. Wilson recognized Ms. Acuna, who presented to and reviewed with the Board the District Matters Report, a copy of which is attached hereto as *Exhibit G*.

Upon motion by Director Sonnier, seconded by Director Johnson, after full discussion and the question being put to the Board, the Board voted unanimously to approve the District Matters Report.

Mr. Wilson recognized Mr. Hall, who discussed a potential opportunity from the EPA. He stated that there is indication that the EPA will publish a funding opportunity to pursue grants to be used for various purposes. Discussion ensued regarding which other community organization would the District partner with.

9. **Strategic Consultant Report.** Upon motion by Director Johnson, seconded by Director Sonnier, after full discussion and the question being put to the Board, the Board voted unanimously to enter into executive session at 7:55 p.m. pursuant to Section 551.072 Texas Gov't Code to deliberate the purchase, exchange, lease or value of real property. At this time all persons left except the Board, Mr. Wilson, Ms. Maher, Ms. Acuna and Ms. Auzenne.


Upon motion by Director Dangerfield, seconded by Director Johnson, after full discussion and the question being put to the Board, the Board voted unanimously to enter into open session at 8:02 p.m.

10. **Discuss Insurance and indemnification of directors (expires 12/1/2023).** Mr. Wilson stated that NRF will coordinate with the District's bookkeeper on the remaining information for the insurance proposal.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The above and foregoing minutes were passed and approved by the Board of Directors on December 5, 2023.



President, Board of Directors

ATTEST:



Secretary, Board of Directors